

RULES OF THE
“LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT”
‘THE COUNCIL’

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SECTION 1. ORGANIZATION OF THE COUNCIL

1.01

Pursuant to applicable state statutes, specifically KRS 67C.103 (10) but also including other sections denoted in KRS 67C.101, 103, 105, 115, 121 et al, the following are the rules of the legislative council of the "Louisville/Jefferson County Metro Government" (the Council).

1.02

The consolidated local government council members shall serve for a term of four (4) years beginning on the first Monday in January following their election except that the initial election of council members shall be in a manner as to provide for staggered terms for council members. At the initial election of the members of the consolidated local government council, those representing even-numbered districts shall be elected for a two (2) year term. Those representing odd-numbered districts shall be elected for a four (4) year term. Thereafter, all council members shall be elected for four (4) year terms pursuant to KRS 67C.103. The Council shall meet at the hour of 6:00 p.m. or at such other date and time not earlier than 12:01 a.m. on the first Monday in January following their election nor later than seven (7) days after its members have taken office and announced at least 48 hours in advance by the Clerk upon request by fourteen (14) or more of the persons certified by the Board of Elections to have been duly elected to the Council. The Clerk shall first proceed to read the Certification of the Board of Elections certifying the persons who shall have been elected to the Council and to call the roll of the persons so certified. The Clerk shall then read any challenge which has been timely and properly brought with respect to the eligibility or election of any person so certified. In the event such a challenge shall have been timely and properly brought (as provided below) to the Clerk, the person so challenged shall not be sworn and seated until the remaining members of the Council have been seated and sworn and until the challenge has been ruled upon by the Council pursuant to this Rule.

1.03

A judge or other qualified person shall administer the following oath, as prescribed by the State constitution, to the newly elected Council members:

"I, _____, DO SOLEMNLY SWEAR (OR AFFIRM) THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES AND THE CONSTITUTION OF THIS COMMONWEALTH AND THE ORDINANCES OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, AND BE FAITHFUL AND TRUE TO THE COMMONWEALTH OF KENTUCKY, SO LONG AS I CONTINUE A CITIZEN THEREOF, AND THAT I WILL FAITHFULLY EXECUTE TO THE BEST OF MY ABILITY THE OFFICE OF COUNCILPERSON ACCORDING TO LAW AND ORDINANCE, AND I DO FURTHER SOLEMNLY SWEAR (OR AFFIRM) THAT SINCE THE ADOPTION OF THE PRESENT CONSTITUTION, I BEING A CITIZEN OF THIS COMMONWEALTH, HAVE NOT FOUGHT A DUEL WITH DEADLY WEAPONS WITHIN THIS COMMONWEALTH, NOR OUT OF IT; NOR HAVE I SENT OR ACCEPTED A CHALLENGE TO FIGHT A DUEL WITH DEADLY WEAPONS, NOR HAVE I ACTED AS SECOND IN CARRYING A CHALLENGE, NOR AIDED OR ASSISTED ANY PERSON THUS OFFENDING; AND I DO FURTHER SOLEMNLY SWEAR (OR AFFIRM) THAT I HAVE THE QUALIFICATIONS AND AM FREE OF THE DISQUALIFICATIONS PRESCRIBED IN SECTION 67C.143 OF THE KENTUCKY REVISED STATUTES."

1.04

The Council shall upon notice meet within seven (7) days after its members have taken office, and shall thereafter hold at least two (2) meetings per month, which includes the first meeting held in January as required in Rule 1.02. Notice of all meetings of the council and all meetings of committees of the council shall be held pursuant to KRS 61.805 to 61.850.

Upon adoption of these rules, the Council shall meet at 6:00 p.m. on the second and fourth Thursday of each month.

1.05

Pursuant to applicable state statutes, a majority of the members of the consolidated local government council shall constitute a quorum, but a smaller number may convene from day to day. The consolidated local government council may enforce the attendance of members by rules or ordinances with appropriate fines. The mayor or eighteen (18) members of the entire council may call a special meeting at any time. Meetings shall be held in such places in the county as are provided by ordinance, and the place of meetings shall not be changed except by an ordinance for which eighteen (18) members of the Council have voted. A two-thirds (2/3) majority shall equal eighteen (18).

1.06

The presiding officer of a consolidated local government council shall be a president who shall be chosen annually by a majority vote of the entire council from among its members at the first meeting of the council in January. The council president has the right to introduce any resolution or recommend any ordinance and shall be entitled to vote on all matters.

1.07

The Council member elected as President of the Council at the organizational meeting of a new term of the Council shall serve until the first meeting of the Council in January of the next year at which the President of the Council shall be elected according to the same procedure set forth in Rule 1.06 above at the annual organizational meeting of the next Council. However, if such President is no longer a member of the Council on the first Monday in January following his or her election, then a member of the Council who served in a capacity as President Pro-Tem in accordance with Rule 1.08 in the previous term of the Council shall serve as President until a new President is elected at the first meeting of the Council in January as required by Rule 1.02. In the event there are no Council members who satisfy the criteria in Rule 1.08, then a Council meeting shall be required on that first Monday in January to elect a new Council President for the upcoming term.

1.08

The Majority Caucus Leader as identified in Section 13 of these Rules, shall serve as the President Pro- Tem and exercise the powers of the President, only when the President is absent or otherwise unable to perform the duties of office. The President, when practicable, shall notify the Clerk in writing when the President is to be absent or otherwise unable to perform the duties of office, and the expected duration of such absence. The Minority Caucus Leader, which has the allegiance of the second largest number of members of the Council following the Majority Caucus Leader as determined in Rule 13.02, shall serve as President Pro-Tern when the Majority Caucus Leader serves as President in the absence of the President.

1.09

All legislative powers of a consolidated local government are vested in the Council pursuant

to KRS 67C.103(13). The term "legislative power" is to be construed broadly and shall include the power to:

- a) Enact ordinances, orders, and resolutions, and override a veto of the mayor by a two-thirds (2/3) majority of the membership of the legislative council;
- b) Review the budgets of and appropriate money to the consolidated local government;
- c) Adopt a budget ordinance;
- d) Levy taxes, subject to the limitations of the Constitution and the laws of the Commonwealth of Kentucky;
- e) Establish standing and temporary committees; and
- f) Make independent audits and investigations concerning the affairs of the consolidated local government.

1.10

Council ordinances that prescribe penalties for their violation shall be enforced through the entire area of the consolidated local government unless:

- a) Otherwise provided by statute; or
- b) The legislative body of any city within the consolidated local government area has adopted an ordinance pertaining to the same subject matter that is the same as or more stringent than the standards set forth in the consolidated local government's ordinance.

1.11

The Council of a consolidated local government shall have a clerk, and may have a deputy clerk and may employ a stenographer, all of whom shall attend its sessions and keep a full and correct record of all the proceedings of the Council, together with a complete index, and who in addition shall perform such duties as may be required of them by the council. The Clerk shall be designated as the official custodian of all records for the Council. The Council shall appoint a clerk who shall serve at the pleasure of the Council. The clerk shall execute bond to be approved by the Council. He or she shall receive an annual salary which shall be fixed by the Council. The Council may appoint a deputy clerk and a stenographer, to assist in the official duties of the clerk, who shall qualify by taking the constitutional oath and who shall serve at the will of the Council. The salaries of the deputy clerk and the stenographer shall be fixed by the Council (all pursuant to KRS 67.120).

After the appointments are announced, the newly appointed Clerk shall immediately assume the duties of this office referenced above and take the same oath of office taken by the members of the Council. The person appointed as Clerk at the organizational meeting of a new term of the Council shall serve until a successor Clerk is appointed at the first meeting of the Council in January. The Clerk shall be responsible to the full Council and shall perform the statutory duties to maintain and preserve the records of the Council, ordinances, resolutions and minutes. The Clerk shall also perform such other duties as are required by these Rules and by the Council.

1.12

The Council may elect a sergeant-at-arms, whose duty it shall be to preserve order and enforce the orders of the President.

1.13

The members of the Council shall occupy seats in the numerical order of the districts they represent.

1.14

A committee of two next shall be appointed to inform the Mayor that the Council has been organized and is in session. The Council may then conduct such other business as it deems necessary and appropriate.

1.15

If at any time during the organizational meeting before all business is completed, a motion to adjourn is made, the organizational meeting shall be adjourned upon a 2/3 vote, until a time and date specified in the adjournment. When the organizational meeting is reconvened, the body shall proceed with any unfinished business.

1.16

The council shall determine its own rules and order of business, and keep and provide a public record of its proceedings. The council shall provide for the publication of all ordinances in a composite code of ordinances.

SECTION 2: DUTIES OF THE PRESIDENT, PRESIDENT PRO-TEM

2.01

The presiding officer of the Council shall be a President as referenced in Section 1.06 of these Rules. The duties of the President shall include:

- (a) Opening meetings of the Council and announcing the business before the Council in order in which it is to be acted upon.
- (b) Recognizing members entitled to the floor, keeping debate within the rules of order and otherwise preserving order and decorum during meetings.
- (c) Stating and putting to vote all questions before the Council, and announcing the results of the votes upon such questions.
- (d) Deciding all points of order, subject to appeal as set forth in Robert's Rules of Order.
- (e) Receiving all messages and communications to the Council and announcing such to the members.
- (f) Generally guiding and directing the proceedings of the Council, subject to the control and will of the Council.
- (g) Signing and authenticating all ordinances, resolutions, acts, proceedings or orders of the Council.
- (h) Appoint committees and committee chairs, except for the Committee on Committees.

The Committee on Committees is a Standing Committee composed of the President and the Chair and Vice Chair of the two largest Caucuses, as determined under Rule 13.02. In the event, a party or the same political affiliation has 4 or more members and is not one of the two largest Caucuses, as determined under Rule 13.02, then such party or political affiliation shall have one member who serves on the Committee on Committees. Except as otherwise agreed to by unanimous consent of the Committee on Committees, all other Committee composition whether regular, ad hoc or special shall be proportional to party affiliation on the Council, unless a party or the same political affiliation has three or fewer members on the Council. In that event, such members, if they desire, shall sit on a minimum of three Committees. These members shall submit annually to the President a list of the top four Committees on which they wish to serve. The President shall ensure that each member is selected to serve on at least one of the Committees so submitted.

- (i) Hire and fire the Council's common office staff, ~~in consultation~~, with the consent of a majority of the remaining members of the Committee on Committees, and perform other responsibilities with respect to such staff as set forth in Rule 9.03. Administrative Action taken by the President under Sections 2, 9 and 13 as to staffing levels and hiring and firing of common staff may be reversed by a majority vote of the Committee on Committees.
- (j) The right to introduce any resolution or recommend any ordinance and shall be entitled to vote on all matters.

2.02

A member serving as President Pro- Tem as referenced in Section 1.08 shall serve as president and exercise the powers of the President, only when the President is absent or otherwise unable to perform the duties of office. The President, when practicable, shall notify the Clerk in writing when the President is to be absent or otherwise unable to perform the duties of office, and the expected duration of such absence.

2.03

The President shall preserve order and decorum and may decide questions of order without rising from the chair for that purpose.

2.04

The President shall have the right to temporarily relinquish the chair and to name the Majority Caucus Leader as President Pro-tem to perform the duties of the chair during a meeting, but such substitute shall not extend beyond an adjournment. The President may participate in debate when but only when the President shall have so relinquished the chair.

2.05

The President shall have a vote on matters before the Council.

2.06

No later than 30 days following the election of the President, the President shall appoint committees of the Council, as the President deems necessary. The President may appoint special or ad hoc committees at any time. The President shall be a non-voting, ex officio member of all committees, except as otherwise provided in Rule 7.06. Within thirty (30) days

after the appointment of the committees the chairperson of each committee shall announce a time and place for regular meetings of the committee. However, the committee may meet at such other times as the chairperson may direct upon proper notice to members and the press as required by law.

SECTION 3. COUNCIL MEETINGS

3.01

The Council shall hold two (2) regular meetings in each month. The Council shall hold its regular meeting at 6:00 p.m. on the second and fourth Thursday in each month, provided that the Council by resolution adopted no later than its next preceding regular meeting may change the date, time, and/or place of its regular meeting. The date and time of the meeting shall not be changed except by resolution for which two-thirds (2/3) of the members of the Council have voted affirmatively. The President shall take the chair at every special meeting at the time specified in the call for such meeting.

However, if a second or fourth Thursday in a calendar month falls on December 24 or on any metro Government holiday or Governors Inauguration Day, the meeting shall be held the preceding business day, unless otherwise provided by resolution adopted no later than the next preceding meeting.

3.02

The Council shall meet in the Council Chambers of City Hall. The place of the meeting shall not be changed except by an ordinance for which two-thirds (2/3) of the members of the Council have voted affirmatively.

3.03

The order of business of the Council shall be:

- (a) Call to Order and Pledge of Allegiance
- (b) Roll Call
- (c) Addresses to the Council
- (d) Reading of the minutes of the preceding meeting(s) or motion to approve or amend the minutes without reading and instruct the President and Clerk to sign Journal.
- (e) Communications from the Mayor
- (f) Special Ordinances, Resolutions and Recognitions
- (g) Old Business (Consent Calendar)
- (h) Old Business (Committee Reports)
- (i) Miscellaneous Business (Communication from Cabinet, Office Business, Reports)
- (j) New Business
- (k) Announcements from any Council member (unless otherwise provided for)
- (l) Closed Session Report
- (m) Adjournment

The rules of order, not prescribed by statute, may be suspended at any time by consent of the majority of the members present at the meeting. A motion to adjourn shall always be in order, unless the Council is engaged in voting and shall be decided without debate.

3.04

At any time when the Council decides to consider a subject which it does not wish to refer to committee and yet where the subject matter is not well digested and put into proper form for

definite action, or, when for any other reason it is desirable for the assembly to consider a subject with all the freedom of an ordinary committee, the Council may resolve itself into a committee of the whole and the President shall serve as chairperson of such committee. The Committee thereupon may amend the original proposition. These rules of proceeding, so far as they are applicable, shall be observed in the committee of the whole. A motion for the rising of the committee shall always be in order, unless a member is speaking and shall be decided without debate.

3.05

If the order of business is not completed at any meeting, it shall be the duty of the President to continue said order at the next meeting at the point where it was interrupted at the previous meeting.

3.06

A majority of the members of the Council shall constitute a quorum, but a smaller number may convene from day to day. Business may be conducted only at an organizational, regular, or special meeting at which a quorum of members is present. The Council may enforce the attendance of members by rules or ordinances with appropriate fines.

3.07

The Mayor may call a special meeting at any time by written notification to the Clerk and the President of the Council of the time of said special meeting which notice shall be served at least 24 hours prior to the meeting. Said notice shall comply with all legal requirements for notification of the press.

3.08

Two-thirds (2/3) of the entire council may call a special meeting by causing to be served written notice on the remainder of the members of the time of said special meeting at least 24 hours prior to the meeting. Said notice shall comply with all legal requirements for notification of the press.

3.09

The Council may hold closed sessions during a regular or special meeting, or at anytime otherwise authorized by law, to consider or hear any matter which it is authorized by state law to hear or consider in closed session, and may exclude from any such closed session any person or persons which it is authorized by state law to exclude from such closed sessions.

3.10

Notice of all meetings of the Council and all meetings of committees of the Council shall be held pursuant to KRS 61.805 to 61.850.

3.11

Members of the public wishing to speak before the Council may do so under the following set of rules:

- (a) Only ten (10) residents of Metro Louisville per Council meeting will be allowed to speak; however, in the event, there are not ten (10) speakers, then the President may allow a nonresident of Metro Louisville to fill a vacant slot;

- (b) Speakers shall be restricted to a maximum of three (3) minutes each and may not share

these minutes with any other speaker; however, persons with medically recognized disabilities who are entitled to a reasonable accommodation under the Americans with Disabilities Act (ADA) shall be given an additional minute to speak;

- (c) In order to speak at a regularly scheduled Council meeting, a speaker must register with the Clerk office staff. The period to register begins at the conclusion of the prior regularly scheduled Council meeting and ends at 4:00 PM of the day before the next regularly scheduled meeting in which the person intends to speak. Persons registering with the Clerk may leave their name/alias and address, and shall notify the clerk of the topic in which they will speak and their position on said topic as being in favor or against. However, no more than three (3) persons may speak with the same position on anyone topic before the Council at any meeting (i.e., six (6) persons can speak on one topic before the Council at a particular meeting, three (3) in support and three (3) against);
- (d) Any materials presented to the Council may be forwarded prior to or following all Council gatherings to the Clerk for dissemination purposes;
- (e) Speakers will be granted permission to speak at a regular meeting of the Council after the passage of five (5) consecutive Council meetings from the last meeting in which the speaker spoke. The Clerk will keep a listing of those persons who speak before the Council;
- (f) Speakers before the entire Council are not allowed to use props, displays, or any other objects during their presentations. However, informational handouts may be given to the Clerk and distributed in accordance with (d) above;
- (g) Persons within the audience are allowed to have signs in the Council chambers that are no larger than 8 ½ x 11 inches. However, such signs may not be attached to any sort of stick and must be displayed in a manner that does not inhibit others from viewing the Council meeting; and
- (h) Speakers may not engage in electioneering nor the endorsement or promotion of any commercial product or service.

SECTION 4. COUNCIL COMMITTEES, MEETINGS & DUTIES

4.01

The Council President shall appoint the members of Committees, which are created pursuant to Rule 2.01 (h), from among the members of the entire Council. Each of the Committees shall have a maximum of ~~eleven (11)~~ **thirteen (13)** members.

- (a) The Council President shall appoint the Chairperson and may appoint a Vice Chairperson of each Committee. The Chairperson and Vice Chairperson may be removed in the same manner. The term for each Committee appointment shall be until the Council's first organizational meeting each January or until a successor is duly appointed. Should a vacancy occur in any Committee for whatever reason, appointment to the vacated position shall be for the un-expired term of the position created by said vacancy.
- (b) In the absence of both the Chairperson and Vice Chairperson, the Committee

members present shall elect a Chair-pro-tem.

- (c) With regard to membership on each committee, other than the Chairperson and Vice Chairperson, the President shall follow the recommendations of Caucus Chairs, as set forth in Rule 13.02, except if a party or the same political affiliation has three or fewer members on the Council. In that event, the procedure in Rule 2.01(h) shall be adhered to with respect to such members.

4.02

It is the duty of each Council member to attend every meeting of every Committee of which they are a member and charged with fulfilling the responsibilities of such Committee(s).

4.03

Staff Assignments to the Committee

- (a) Committee staff shall deliver to each Committee member, balance of the Council and to Council Appointees by electronic means whenever possible, all papers and documents relating to matters referred to such Committee pursuant to these Rules. The Council Clerk shall serve as secretary to the Committee on Committees. The Council Clerk shall designate a secretary for each of the other Committees, who shall keep a record of attendance and business transacted at each meeting. Such record shall be provided to the Council Clerk and it shall be the responsibility of the Council Clerk to distribute to the Mayor, the Council, and the Council Appointees a copy of the record from each Committee meeting.
- (b) Reports of each committee shall be in writing and presented to the Council. Nothing in this Rule shall be construed to prohibit the introduction of minority reports, together with the majority report.
- (c) A member of the Jefferson County Attorney's Office Research Ordinance Commission may also have a representative at all committee meetings.

4.04

Conduct of Committee Business

Except as otherwise provided in these Rules, Committee meetings shall be governed as follows:

- (a) The Chairperson shall preside at meetings of the Committee. If the Chairperson is absent, the Vice Chairperson shall assume the duties of the Chairperson.
- (b) The Chairperson shall direct the order of presentation of the arguments for and against matters for consideration by the Committee, and shall permit questions to be asked by the various members of the Committee, members of the public, except as otherwise provided pursuant to the Zoning Committee rules, and the Administration in an orderly fashion and in keeping with proper decorum.
- (c) The Committee Chairperson, in consultation with Committee staff, shall set the Committee agenda. The Chairperson shall set the date and time for any continued hearing and shall notify the Committee secretary of such.

(d) The Committee secretary shall be responsible for posting the Committee agenda. An agenda for each Committee meeting shall be delivered to the Mayor, Council, and Council Appointees at least one (1) working day prior to the Committee meeting, and shall be posted in conformance of state law. The agenda shall be composed of items referred by the Councilor Committee on Committees as well as items within the Committee work plan.

4.05

A report or matter approved by a Committee shall be forwarded to the Council and appear on the Council's agenda at the next Council meeting following the Committee meeting.

4.06

The Council shall vote to accept the Committee Report and take all actions contained in the Report, other than to approve an ordinance, resolution or contract. Council members who do not concur with a recommendation may request a separate vote or may ask that a 'no' vote be recorded with regard to that recommendation.

4.07

The Committee may recommend that an ordinance or resolution be introduced or amended or that a contract be awarded. If the ordinance, resolution or contract has been prepared before the date on which it shall be considered by the Council, it shall be placed under a separate agenda item and acted upon separately from approval of the Committee report. If the ordinance, resolution or contract is not ready for formal action, the Committee report shall be understood to provide direction to the County Attorney or Metro Legal Counsel to prepare the necessary documents. Regardless, all ordinances, resolutions or contracts, shall carry an authorizing signature from the County Attorney or Metro Legal Counsel or a designee thereof, as to form and legality, prior to any formal introduction or action by the Council as stipulated in Section 6.

4.08

The assigned staff shall keep a record of the meetings and actions taken by the Committee.

4.09

No committee action shall be taken on any item outside a duly constituted committee meeting.

4.10

Council Appointees or their designees may attend and speak at all committee meetings, but shall have no vote therein.

4.11

The Committees shall report on all matters referred to them by the Council without unnecessary delay. If the Council desires to remove a matter from the jurisdiction of a Committee, it may, at a regular meeting of the Council, discharge said Committee from further consideration of the matter.

SECTION 5. MOTIONS, DEBATES AND VOTES

5.01

The President shall state the motion and second on the floor. If by writing, the motion shall be handed to the chair and read aloud by the Clerk. Every motion shall be reduced to writing if the

President or any member desires it.

5.02

If a motion is stated by the President or read by the Clerk, it shall be considered in possession of the Council, but the mover may withdraw it at any time before a decision or amendment is made.

5.03

No motion or amendment dealing with a subject different from that under consideration shall be admitted under color of an amendment.

5.04

In order for a member to speak or debate a subject, which is open to debate, the President must first recognize the member. A member may speak only on matters germane to the business or questions under debate for such a period of time as the President may designate. When two or more members seek recognition at about the same time, the President shall designate who shall have the right to speak. Without objection members may submit to the Clerk with copies to all members present written remarks to be included in the Journal of the Council for the meeting at which said written remarks are submitted. Whenever the subject of the motion has been discussed and considered and roll call has been started, there shall be no further discussion or debate except that members of the council may be allowed to explain their vote or propose supplemental motions.

5.05

Petitions, memorials, and other papers addressed to the Council may be presented by any member of the Council or any member of the public who has permission of the majority of the Council to do so, and the person so presenting said petitions, memorials, or other papers shall briefly state to the Council the contents thereof, which may be received and read or at the direction of the President entered into the record or referred to an appropriate committee.

5.06

Voting by members shall be recognized in the following manner:

- (a) In order for a member's vote to be counted, he/she must be present and the vote must be recorded by the Clerk and once voting has concluded with respect to an item, any further voting on such item may not occur without an approved motion to reconsider pursuant to Robert's Rules of Order;
- (b) All questions put to a vote shall be for or against the measure except in matters of conflict as stipulated in Section 5.08 and motions made regarding the election of Council President or Council Clerk;
- (c) The vote of the members of the Council on any ordinance shall be taken by roll call, voice or by electronic means.

5.07

Roll call votes shall be called in district numerical order (1 through 26). Except as otherwise required by law or these rules, any measure before the Council shall require for approval an affirmative vote of the majority of the members present and voting excluding abstentions.

5.08

If a Councilperson believes that he/she has a conflict of interest in a matter before the full Council or a committee, the Council member must advise the Council or committee of the interest and that he/she be excused from voting. In the case of a Council meeting, the interest and reasons for an abstention shall be entered verbatim in the Journal; and in a committee meeting, he/she may request that a statement be entered in the minutes of the meeting. In this particular instance, a Council member who is excused from voting on an item will be considered as not having cast a vote on such item.

5.09

The Council may vote on any amendment or resolution by voice vote. If the President cannot discern whether the question passed or failed, he/she may request a roll call vote of which shall be registered by the Clerk in writing. Any member of the Council may, at any time before the next item is read into the record, request a roll call vote similarly.

5.10

Upon any tie vote, the question is lost.

5.11

When a question is under consideration, no motion shall be in order except:

- (a) To call the Council when there is no quorum present.
- (b) To adjourn.
- (c) To resolve into a committee of the whole.
- (d) For the previous question.
- (e) To lie on the table.
- (f) To postpone to a fixed time or indefinitely.
- (g) To commit.
- (h) To amend.
- (i)

~~To make a request to the Internal Auditor for review of the reasonableness of a financial impact statement. This request will not be granted if two-thirds of council members in attendance at a meeting of the entire Council or at a Committee meeting vote against such request. A request that is made and granted shall automatically be tabled until either the review is complete or the expiration of 30 days, whichever occurs first.~~

To refer an ordinance pending before a Committee to the Internal Auditor for the preparation or review of a Financial Impact Statement. Such statement shall provide the Council with the unbudgeted costs associated with the implementation of the ordinance before the Committee. The motion to refer to the Internal Auditor shall be granted by the Committee unless 2/3 of the Committee members present vote against the motion. A motion to refer to the Internal Auditor shall not be in order at a regular Metro Council meeting. Ordinances referred to the Internal Auditor shall automatically be tabled on the Committee agenda until the next regular meeting of the Committee. A motion to refer to the Internal Auditor on the same ordinance at a subsequent Committee meeting shall be out of order.

- (j) To limit debate. A motion to limit debate shall apply to Council Meetings only, not committee meetings. When a motion to limit debate is made and an objection is made, a vote by the majority of the Council members present shall be the deciding vote on whether the debate shall be limited. A motion to limit debate is not debatable. If a motion to limit debate successfully passes, then debate on a particular ordinance or

resolution shall be limited to 1.5 hours after the motion is successfully made, at which the expiration of said time limit the ordinance or resolution, amended or not, shall be automatically called for a final vote.

The above motions shall have precedence in the order in which they are arranged. Exceptions "a through e and g" shall not be debatable. Except for the motion to amend, none of the above motions shall be in order if made a second time upon the same question, and at the same status unless other business intervenes. The adoption of the motion to lie on the table, defeats the subject matter under consideration. The reconsideration of the motion to table shall require the approval of a majority of the members of the Council. If a measure has been postponed indefinitely, it shall not be in order again during the meeting.

5.12

A motion to proceed or dispense with the order of the day, dispense with any rule of the Council or to take up an ordinance or resolution out of its regular order, shall require a two-third (2/3) vote of the Council except that a motion to suspend Rule 6.0 I shall be in order only if presented in writing, and signed by all Council members in attendance. A motion to commit or reconsider any matter shall be considered without debate. A motion to reconsider a vote shall not be made after the next meeting of the Council at which such vote was adopted.

5.13

The effect of submitting the previous question shall be: To put an end to all debate, bring the Council's direct vote upon amendments reported by the committee, if any, then upon the main question.

5.14

The validity of the decision of the President on any question of order may be appealed to the Council on the request of one member. During the pendency of any appeal, the President shall vacate the chair and call the President Pro- Tem to preside. No motion or business shall be in order except the motion on appeal from the decision of the President and that motion shall not be debatable, except that the person making the motion may explain the basis of the motion and the President Pro- Tem may call upon the County Attorney for an explanation and/or advice on a point of parliamentary procedure pursuant to KRS 67C.115.

5.15

In the absence of a standing rule of the Council, the Council shall have reference to the latest edition of Robert's Rules of Order and shall proceed and decide questions under the rules therein set out for all applicable cases in which it is not consistent with the Constitution and statutes of the Commonwealth of Kentucky.

5.16

No motion to rescind or amend any standing rule or order of the Councilor to introduce a new rule shall be in order unless notice thereof has been given on the Tentative Agenda.

5.17

Pertinent to zoning cases, a majority of the entire Council is required to overrule a Planning Commission recommendation, not just a majority of those members present. A Councilperson who is present, but does not vote or abstain on a particular item, will be treated as having cast a vote neither for nor against such item.

**SECTION 6. INTRODUCTION OF
ORDINANCES, RESOLUTIONS, CONTRACTS & LEASES**

6.01

The Clerk of the Council shall receive all ordinances and resolutions to be enacted at any regular meeting of the Council, by Monday at 12:00 PM prior to the regular Thursday meeting of the Council. The Clerk shall then cause a Tentative Agenda to be prepared and distributed to the Council members by Monday at 5:00 PM.

6.02

The Mayor, the Jefferson County Attorney's "Research Ordinance Commission," or Metro Legal Counselor any department, agency, joint agency, or instrumentality of the Metro Government, or appropriate employee of such department heretofore referenced as the sponsoring "entity" shall submit an ordinance or resolution to be introduced by a member of the Council.

The person submitting the ordinance or resolution shall supply to the Clerk:

- (a) An original and an electronic copy of the ordinance or resolution;
- (b) An electronic and one (1) hard copy signed by the County Attorney including all attachments of a memorandum explaining the ordinance or resolution;
- (c) The name of the sponsor of the ordinance or resolution;
- (d) A financial impact statement, as called for by Ordinance No. 11, Series 2004, in the case where the ordinance or resolution requires the acceptance or expenditure of unbudgeted monies.

All of which shall conform to the specifications otherwise set forth herein.

6.03

- (a) A Council member shall be consulted by the above-referenced submitting entity prior to the Council member's name being placed on an ordinance or resolution as a sponsor. The Clerk may only accept those ordinances or resolutions that have a Council member sponsoring them before they may be placed on the Tentative Agenda as contained in Rule 6.01 above and/or the Final Agenda as provided in Rule 6.06 below.
- (b) After an ordinance or resolution has been introduced, a Council member may become a cosponsor of an ordinance or resolution with the written permission of an original sponsor informing the Clerk up until the time a Councilor Committee meeting begins. At a Councilor Committee meeting, a sponsor may be added by requesting and being given approval by an original sponsor up until the time an ordinance or resolution is voted on in such Councilor Committee meeting.

6.04

Specifications for Ordinances and Resolutions:

- (a) All original ordinances and resolutions shall be "typewritten" on an 8 ½ x 11-inch white paper. The term "typewritten" shall include printed, processed or photocopied material;

- (b) All electronically submitted ordinances and resolutions shall be in a format compatible with the computer hardware and software used by the Clerk's office;
- (c) All ordinances and resolutions shall be double-spaced except for the title which shall be single-spaced;
- (d) Each ordinance or resolution shall include directly below the title thereof the phrase "sponsored by" followed by the name(s) of the member(s) sponsoring the ordinance or resolution;
- (e) All ordinances or resolutions shall be submitted and signed by the County Attorney or Metro Legal Counsel for his/her review as to form and legality prior to their introduction.

6.05

The Clerk of the Council may not accept any ordinance or resolution which does not comply with these provisions.

6.06

By 2:00 p.m. on the business day prior to the regularly scheduled meeting of the Council, the Clerk shall cause a final agenda to be prepared for that meeting. The agenda shall include all items on the Tentative Agenda unless the Clerk is otherwise informed. The Clerk shall place committee reports under old business in the order in which such reports are received.

- (a) No ordinance or resolution shall be added to the final agenda that was not listed on the tentative agenda without the approval of the President and notification to the Clerk;
- (b) No item may be added to the agenda after 12 noon on the business day prior to the regularly scheduled meeting of the Council. Any ordinance or resolution that is not in the proper and final form by 2:00 p.m. on the business day prior to the regularly scheduled Council meeting, may be pulled from the agenda by the President or the Clerk.

6.07

An ordinance, resolution or motion is introduced when:

- (a) The Clerk, acting upon the motion of one or more sponsoring Council members, reads the title of said ordinance or resolution at a regular or properly called special meeting of the Council, or;
- (b) When the sponsoring Council member reads the title, or;
- (c) The motion is properly seconded.

6.08

An ordinance or resolution shall:

- (a) Embrace but one subject;

- (b) Have a title which clearly states the subject matter;
- (c) Have an enacting clause, in the case of ordinances which reads: "Be it ordained by the Louisville/Jefferson County Metro Government," or in the case of resolutions, have a resolving clause which reads: "Be it resolved by the Council of the Louisville/Jefferson County Metro Government," and;
- (d) Conform to all of the technical requirements of Rule 6.04.

6.09

A resolution approving a professional service contract (PSC) shall include the PSC number, the name of the entity that is being contracted with, the amount of the PSC, what department of the Metro Government has asked for the PSC, what services will be rendered under the contract, the effective dates of the contract and whether the contract is a renewal PSC or not.

6.10

A resolution authorizing the Mayor to accept a grant shall include the name of the entity providing the grant to the Metro Government, the amount of the grant, what department of the Metro Government will receive the grant, what product, services, property or equipment the grant will make possible, and whether it is a new or continuing grant.

6.11

Prior to a contract or lease being drafted, a memo or form detailing the service, the cost, the manner of payment, the contractor, whether the services are for the entire Council or for one or more Council members and identifying the available funds either in the Council's budget or the Council member's individual cost center should be given to the President of the Council. The President of the Council shall present such requests to the Committee of the Whole and shall request the authority to process the request accordingly to applicable procurement regulations. The Committee of the Whole's action can be either at a meeting of the Committee or at a Council meeting.

SECTION 7. CONSIDERATION OF ORDINANCES, RESOLUTIONS, CONTRACTS & LEASES

7.01

Only a Council member may introduce an ordinance, resolution, contract or lease to be considered by the full Council. No ordinance shall be passed at the meeting of the Council at which it is introduced, nor shall it be passed at any succeeding meeting unless it has been read at that meeting and free discussion allowed thereon. Any ordinance may be amended or repealed by another ordinance.

7.02

Every ordinance shall be referred by the President to the appropriate committee for consideration and reasonable time shall be given any member of the Council to be heard before such committee.

7.03

All propositions, petitions, resolutions, or other matter connected with the Council upon introduction shall be referred to the appropriate committees for consideration upon the request

of any member and reasonable time shall be given any member of the Council to be heard before such committee.

7.04

A resolution pertaining to an administrative act or function of the Council may be passed at the same meeting at which it was introduced.

7.05

All propositions, ordinances, or resolutions, rejected by the Council, shall not be reintroduced during the term of the sitting Council unless by special request granted by a vote of a majority of the members of the Council.

7.06

A chairperson of a committee is a voting member of the committee and may make or second any motion at a meeting of the committee. A quorum of a committee shall be a majority of the members appointed to the committee, excluding the President. However, if the President's presence is required to make a quorum of a committee meeting, then the President shall be counted to make a quorum for such meeting and shall be a voting member for that meeting only. Nevertheless, any Council member, including the President, may cast a vote in the zoning committee on any zoning change located in his/her district and whose presence shall be counted toward a quorum only on the item affecting that district.

7.07

A committee chairperson may call a meeting of their respective committee to consider any item referred to it. Notice of a meeting of a committee shall be given to the Clerk no later than 24 hours, excluding weekends, prior to the meeting. The Clerk shall give all appropriate notices as provided by law.

7.08

With a quorum present, a committee may make the following recommendations to the Council for consideration

- (a) Recommend amendments to an item;
- (b) Recommend an item for passage or denial;
- (c) Make no recommendation on an item to the Council;
- (d) Table an item.
- (e) Make a request to the Internal Auditor for review of the reasonableness of a financial impact statement. This request will not be granted if two-thirds of council members in attendance at a Committee meeting vote against such request. A request that is made and granted shall automatically table an item until either the review is complete or the expiration of 30 days, whichever occurs first.

7.09

With no quorum present, the committee chairperson may send an item out of committee to the full Council, without a committee recommendation. The item shall be placed under Old Business.

7.10

The chairperson of a committee to whom is referred any subject for consideration shall submit the report of the committee within a reasonable time, but at any time, upon presentation to the chairperson of a petition signed by fourteen (14) members of the Council, the subject may be recalled from the committee and forthwith considered by the Council in the same manner as if the committee had reported.

7.11

Consent Calendar

- (a) A Committee Chairperson may refer any item to the Council whereby the respective committee passed an item by a unanimous vote. The item may be placed on a consent calendar for the next regular Council meeting.
- (b) If an item received less than a unanimous vote or was amended in committee, it shall be considered under Old Business. Any vote on an item in which there is an abstention, a vote of present, or a vote against shall be considered less than a unanimous vote.
- (c) Prior to a meeting of the entire Council, a Council member may remove an item from the consent calendar by informing both the President and the Clerk in writing. The President shall remove an item from the consent calendar during the Council meeting, at the oral request of any Council member. The item shall then be handled in the same manner as any item not on the Consent Calendar.
- (d) The Consent Calendar shall be the first item of business under Old Business and in the absence of an objection from any Council member, shall be approved as follows:
 - 1) The President shall declare that a motion to adopt the items on the Consent Calendar is in order;
 - 2) After said motion is duly made, the President shall ask the Clerk of the Council to give second reading to the titles of the items on the Consent Calendar. The reading of the title of an ordinance or resolution shall constitute the reading of a summary thereof;
 - 3) After said motion is duly made and seconded, a roll call on the items on the Consent Calendar shall be taken. The record will reflect that Council members voted "aye" or "nay" or abstained on each item as if they had voted on each item on the Consent Calendar. Council members may explain their vote on one or more items on the Consent Calendar;
 - 4) All items on the Consent Calendar will be identified by committee;
 - 5) The Consent Calendar will be published as such on the Tentative Agenda. Items which have been properly placed on the Tentative Agenda but which receive committee action after publication of the Tentative Agenda, may be added to the Consent Calendar from old business by motion of the committee chairperson during any regular meeting of the Council, provided that there is no objection from any member of the Council;

- 6) At a regular or special meeting, the chairperson of a committee may request that an item which had come from committee be moved from old business to the consent calendar if there is no objection.

7.12

An ordinance may be introduced and enacted if deemed an emergency by an affirmative vote of eighteen (18) members of the Council. This action shall suspend the requirements of Rule 7.01 concerning a second reading. The ordinance shall describe the nature of the emergency in the body of the ordinance.

7.13

A Council member who believes a conflict of interest exists as defined in Rule 5.08 of these Rules, which prevents the Council member from casting a vote for or against any ordinance, resolution or any other matter before the Council or a committee, shall not participate in the debate on the matter. The Council member shall announce his/her intention to abstain before the roll call and shall answer "Abstain" when called to vote. Any Council member who is present at a meeting and abstains on a matter shall be treated as not having cast a vote on such matter. Any Council member who is present, but does not vote or abstains on a particular matter, will be treated as having cast a vote neither for nor against such matter.

7.14

It shall be conclusively presumed that any ordinance, resolution, or other measure passed or approved by the Council is in compliance with all applicable provisions of these Rules with respect to the form of such measure and the procedure followed to pass or approve such measure.

7.15

No proposed ordinance, resolution or appointment shall be passed by the Council after the last day of the sixth month following the Council meeting at which it was introduced and given a first reading or the last day of the sixth month following the month of a Council Meeting at which the ordinance or resolution was amended and then referred back to Committee.

- (a) A council member listed as a primary sponsor of an ordinance or resolution may withdraw their sponsorship of that ordinance or resolution at any time until passed by vote of the Council. If the withdrawal of sponsorship by a primary sponsor leaves an ordinance or resolution without a primary sponsor, the ordinance or resolution "dies" and shall not be considered further. A "primary sponsor(s)" is/are a member(s) of the Council sponsoring an ordinance or resolution at the time of its filing with the Clerk of the Council as provided in Rule 6.03. A "co-sponsor(s)" is/are a member(s) of the Council who are added after the filing of an ordinance or resolution.
- (b) If a resolution or ordinance is amended by substitution during a Council meeting, it must adhere to Sections 6.04, 6.07 and 6.08 and must be germane to the original ordinance or resolution. In that event the sponsor(s) at their option may withdraw their sponsorship, at which time the Council member that proffers the amendment by substitution, providing Sections 6.04, 6.07 and 6.08 are satisfied, shall become the new primary sponsor(s) of the amended version of the resolution or ordinance.

7.16

A member may request that an item on the agenda be referred back to committee for additional

consideration. The President shall so order the matter to committee unless there is an objection to the referral. If there is an objection by a member to referring a matter back to committee, a majority vote of the members is necessary to refer the matter back to committee.

7.17

Every ordinance or resolution passed by the Council shall immediately be presented to the Mayor for signature. The Mayor may

- (a) Approve/Veto any item or items of an appropriation measure;
- (b) Those item(s) approved, shall be in full force;
- (c) Those item(s) vetoed, shall be void unless reconsidered in the same manner required for passage of ordinances overriding the Mayor's veto;
- (d) On any item vetoed by the Mayor, he/she shall return the measure to the Council, stating his/her objection of which, shall be entered in full into the Council's journal. The Council may reconsider the measure at its next regularly scheduled meeting. Upon the Council's reconsideration, eighteen (18) members of the Council may vote to override the Mayor's veto and the measure shall therefore be in full force.

7.18

An ordinance or resolution shall be considered in full force if

- (a) The Mayor does not sign the measure within the time prescribed in KRS Section 83.500 as presented by the Council, or;
- (b) The Mayor does not return the measure for reconsideration by the Council by their next regularly scheduled meeting.

7.19

The Council may introduce a proclamation without the Mayor's consideration.

SECTION 8. ORDER & DECORUM

8.01

All members shall maintain proper decorum during meetings of the Council. If any member, while speaking or otherwise, transgresses any rule of the Council or fails to maintain proper decorum, the President shall call such member to order. After hearing a short explanation from the member called to order, or upon withdrawal by the member of the objectionable language, the President may permit the member to proceed, or may compel silence upon the member until the matter is disposed of. The ruling of the President shall be subject to an appeal to the Council pursuant to Rule 5.14.

8.02

The President shall recognize a member, who desires to speak in debate or on a subject open to debate, in order to obtain the floor. A member shall speak only on matters germane to the business or questions under debate for such period of time as the President may designate. When two or more members seek recognition at the same time, the President shall designate who shall have the right to speak. The Council may, by a vote of eighteen (18) of its members, excluding the member being disciplined, expel a member from a meeting for disorderly

conduct during such meeting or may impose such other discipline or penalty as is deemed necessary.

8.03

No member shall introduce any item or document, or any part of an item or document, in any proceeding before a Committee of the Council without making copies thereof ~~time of the proceeding~~, and unless the item or document bears the signature identity of the originator, together with contact information for the originator. This Section 8.03 shall not apply to written amendments to any pending item of legislation.

8.04.

No member shall leave the Chamber without special leave being granted by the President.

8.05

No person, except Council members, the Council's staff, Metro Government officers, or members of the press shall be admitted upon the floor of the Chamber unless permitted by a vote of the Council. It shall be the duty of the Sergeant-at-Arms to enforce this rule with such aid as may be necessary to be detailed by the Chief of Police.

8.06

All persons shall maintain proper decorum during meetings of the Council. If any person, while speaking or otherwise, transgresses any rule of the Council or fails to maintain proper decorum, the President shall call such person to order. Loud, noisy, profane, disruptive or boisterous behavior on the part of visitors or onlookers at meetings of the Council or at Council committee meetings or hearings shall not be tolerated, and the President of the Council or the presiding officer of any committee meeting or hearing shall have the discretion to order the Chief of Police or any officers, assistants and Sergeants-at-Arms to remove from the Chambers or meeting room any person or persons engaged in such activity.

SECTION 9. STAFF

9.01

As further described in Rule 1.11 the Clerk shall perform statutory duties to preserve records of the Council, Ordinances, and Minutes. The Clerk is responsible to the full Council. The Clerk shall be designated as the official custodian of all records for the Council.

9.02

Personal services contracts shall be negotiated by the President and approved by a majority of the Council. A vote by the majority of the Council shall be required to cancel a personal service contract.

9.03

The President of the Council, or upon written instructions of the President, the Clerk or other designee of the President, shall be the "appointing authority" of the Council for purposes of signing time sheets, personnel records, budget documents, requisitions, and the like. The President with the consent of a majority of the members of the Committee on Committees will submit an annual Council Budget to the Office of the Mayor. The President with the consent of a majority of the remaining members of Committee on Committees, shall decide the number of positions of the Council's common staff, hire and dismiss common staff and fix the salaries for such positions. For purposes of this Rule, employees referred to in Rule 1.11 and employees

directly serving Caucuses as referred to in Section 13.02 shall not be considered common staff. The respective Caucuses, as determined under Rule 13.02, shall determine the policies and procedures for hiring, firing, compensating, and disciplining employees who serve such Caucuses.

9.04

Employees of the Council are employees of the Metro Government and are therefore subject to the rules and regulations adopted pursuant to the Metro Government's Classification and Compensation Ordinance.

9.05

The Council shall adopt a Policies and Procedures Manual defining the procedures for hiring, firing, compensating and disciplining its employees, and otherwise governing the internal operations and business operations of the Council.

SECTION 10. VACANCIES

10.01

If a member seeks to resign the office of Council member, said member shall tender a written resignation to the President of the Council with a copy to the Clerk. If the President of the Council seeks to resign the office of the President of the Council and/or the office of Council member, the President shall tender a written resignation to the Clerk. Any such resignation shall be effective at the next regular or special meeting of the Council or at a later date if requested by the resigning member, and the office shall be deemed vacant as of such date. The vacancy shall be filled pursuant to KRS 67C.103(12) which states that ... "in the case of a vacancy on the consolidated local government council by reason of death, resignation, or removal, the council by majority vote of the membership of the council shall elect a qualified resident of the council district not later than thirty (30) days after the date the vacancy occurs. Should the council fail to elect, by majority vote of the membership of the council, a qualified person to fill the vacancy within thirty (30) days, the mayor of the consolidated local government shall fill the vacancy by appointment of a qualified person for the unexpired term" and as referenced in KRS 67C.103 (5) and (6) which states:

(5) The members of a consolidated local government council shall be nominated and elected from the district in which they reside in partisan elections. After the initial terms of office of the first elected council members, council members shall be elected in the same election years as other local government officials as regulated by the regular election laws of the Commonwealth and as provided in subsection (4) of this section.

(6) No person shall be eligible to serve as a member of a consolidated local government council unless he or she is at least twenty-one (21) years old, a qualified voter, and a resident within the territory of the consolidated local government and the district that he or she seeks to represent for at least one (1) year immediately prior to the person's election. A council member shall continue to reside within the district from which he or she was elected throughout the term of office.

10.02

If a member dies while holding office of Council member, the office shall be deemed vacant as of the day following the date of death.

10.03

No person may be removed from the office of Council member or the office of President of the Council during the term to which he or she shall have been elected except upon a showing of malfeasance, misfeasance or unfitness for office or that the person has become unqualified to serve as Council member pursuant to Kentucky Revised Statutes by failing to reside in the Council District to which he was elected. A showing necessary for removal from office shall be made by:

- (a) Five (5) Council members issue written charges under oath delivered to the Clerk that the President of the Council or the Council member (as the case may be) has committed acts or engaged on a course of conduct which constitutes malfeasance or misfeasance or which renders the person charged unfit for office or is unqualified pursuant to Kentucky Revised Statutes; and;
- (b) The remaining members of the Council (other than the person charged) sitting as a court, after a hearing of which the person charged is given sufficient notice and an opportunity to be heard, find by a vote of at least $\frac{2}{3}$ ^{rds} of the court that the person charged has committed the acts or engaged in the course of conduct charged and by so doing has shown malfeasance, misfeasance, or unfitness for office or that the person charged has become unqualified to serve pursuant to Kentucky Revised Statutes.

10.04

Any person so removed from the Office of Council member and/or the office of President of the Council may appeal his or her removal from office to the Circuit Court.

10.05

During the pendency of any such appeal by a Council member the Council member shall not be permitted to be seated on the Council in any of its committee meetings but the office shall not be deemed vacant until the Council member has exhausted his or her appeal rights. However, in the case of an appeal from the removal of the President of the Council the Council shall elect a permanent President Pro- Tem who during the pendency of the appeal shall perform the duties of the President of the Council.

10.06

In the event that twelve (12) Council members execute a sworn statement declaring that the President of the Council is physically or mentally disabled so that the President is unable to carry out the duties of the President and deliver said statement to the Clerk with a copy to the President, then at the next regular or special meeting of the Council held not less than three (3) days after the delivery of said notice to the President, the Council may by affirmative vote of twenty (20) of its members declare the President unable to carry on the duties of the President by reason of physical or mental disability. Provided, that before such vote, if requested by the President of the Council, a hearing shall be conducted as described in Rule 10.04 and in such case the issue of the President's disability shall be decided by the Council members (other than the President and the twelve Council members who have charged that disability) sitting as a court and a vote of $\frac{2}{3}$ of the said court shall be necessary to establish the disability of the president.

10.07

Upon a finding of disability of the President, the Council shall elect a permanent President Pro-

Tem who shall perform all of the duties of the President of the Council until the expiration of the President's term or until the Council by majority vote shall declare that the President again is able to perform the duties of office.

10.08

Within seven (7) days after a vacancy shall have occurred on the Council, qualified persons interested in being appointed pursuant to Kentucky Revised Statutes to the vacant seat shall submit a resume to the Clerk of the Council.

10.09

The members of the Council shall review any resumes so submitted and shall indicate in writing to the Clerk the name of any applicant who that member wishes to be personally interviewed at a special meeting of the Council, which shall be duly called pursuant to these rules and held not less than seven (7) days nor more than thirty (30) days after the occurrence of the vacancy.

10.10

At either a regular or special meeting of the Council, held not less than (7) days nor more than thirty (30) days after the occurrence of the vacancy the Council shall fill the vacancy from among the qualified persons interviewed, or as provided by state statute.

10.11

The person receiving an affirmative vote of the majority of the remaining members of the Council shall be elected to fill the vacancy pursuant to this section. If more than one vacancy exists, each vacancy shall be filled by the Council one at a time and the newly appointed member shall immediately be seated pursuant to the rules so that he or she may vote on the filling of the remaining vacancies.

SECTION 11. AMENDMENTS TO THESE RULES

11.01

These Rules may be amended by an affirmative vote of a majority of the members of the Council at their Organizational Meeting. Thereafter, the Rules of the Council may be amended by an affirmative vote of a majority of the members of the Council provided that notice of the vote is given at a previous meeting and appears on the agenda.

11.02

These Rules shall follow applicable state statutes provided for in KRS 67C.101 [Section 2 (a), (c); Sections 4 and 5] et al.

SECTION 12. ETHICS

12.01

The Council shall adopt the "Code of Ethics" as established by the Louisville/Jefferson County Metro Government. Members of the Council and employees will conduct themselves in the performance of their official duties at all times in a manner which manifests the highest moral and ethical standards.

SECTION 13. CAUCUSES, MAJORITY & MINORITY CAUCUS LEADERS

13.01

Members of the Council may attend caucuses (gatherings of members of a political party or coalition held for purposes of planning political strategy and holding discussions designed to prepare the members for taking official action). No caucus shall be deemed an official part of the council or any committee of the council. A caucus may review public information and discuss the political ramifications of expected issues, anticipated official action and public business. Such caucuses may not take any official action and shall not vote on any matter pending before the council or one (1) of its committees.

13.02

The members of the Council belonging to a political party or the same political affiliation shall hold separate caucuses and shall elect a Chair and Vice-Chair of such respective caucuses. The Chair of the party, which has the allegiance of the greatest number of members of the Council, shall be called the "majority leader." The Chairs of the other parties shall be called "minority leaders." The election of a Chair and Vice-Chair of a caucus shall be official upon filing with the Clerk a certificate of election signed by the majority members of such caucus.

SECTION 14. PRECEDENCE OVER POLICIES AND PROCEDURES

14.01

In the event any section or subsection of these Rules is inconsistent or conflicts with the Louisville Metro Council Policies and Procedures adopted on March 13, 2003 pursuant to Resolution No. 21, Series 2003, including any subsequent amendments made thereto, these Rules shall govern over such Policies and Procedures.